

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Nickcole S. Varney

v.

Civil No. 10-cv-369-PB

US Social Security Administration,
Commissioner

ORDER

I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated April 26, 2011, no objection having been filed, for the reasons set forth therein. The defendant's motion for an order affirming the Commissioner's decision (DN 11) is denied. The plaintiff's motion for an order to reverse the decision of the Commissioner (DN 9) is granted to the extent that the case be remanded to the ALJ for further proceedings pursuant to sentence four of 42 U.S.C. section 405(g) .

SO ORDERED.

May 18, 2011

/s/ Paul Barbadoro

Paul Barbadoro
United States District Judge

cc: Anthony B. Lamb, Esq.
D. Lance Tillinghast, Esq.
Robert J. Rabuck, AUSA